

## FORM SUMMARY

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**Name of Form:** Transfer by Affidavit (\$50,000 and Under)

**Form Number:** PR-1831

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**Statutory Reference:** §867.03, Wisconsin Statutes

**Benchbook Reference:** PR 8

**Purpose of Form:** When a decedent leaves property subject to administration in Wisconsin which does not exceed \$50,000 in value, an heir, trustee of trust created by decedent, or person who was guardian of the decedent at the time of the decedent's death may have that property transferred by completing this affidavit and furnishing it to the person who holds the property.

**Who Completes It:** The heir or person who was guardian of the decedent at the time of the decedent's death.

**Distribution of Form:** Original must be provided to the holder of the property. If required, a notice of affidavit or a copy must be sent by certified mail, return receipt requested, to the Department of Health Services.

If real estate, a certified copy or duplicate original shall be recorded with the Register of Deeds for each county in this state which the property is located.

**Accompanying Forms:**

**New Form/Modification:** Modification; last update 10/07.

**Modifications:** Changed Department of Health and Family Services to Department of Health Services. Also changed "Family Care Services" to "Family Care and/or Partnership benefits". Added "Medicaid" after "Medical Assistance" (per Kathleen Emmerton, Estate Recovery)

**Comments:** If providing notice to the Estate Recovery Program, or providing affidavit to financial institutions, decedent's social security number must be provided on a separate document.

A duplicate affidavit (when required) must be sent by certified mail with return receipt requested to the Estate Recovery Program for the State of Wisconsin, Department of Health Services. If real estate is involved and the affidavit will be recorded with the Register of Deeds, the mailing must be done prior to submission of the document for recording.

One form should be used for assets regardless of location.

**About this form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**